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REMARKS

Claims 1-11, 28-34, 41-43 and 47 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Amendment to the Abstract

The Examiner contends that the "amendments to the claims filed on 10/20/2004 do not comply with the requirements of 37 CFR 1.121(c) because: The abstract filed 10/20/2004 is not on a separate sheet. A replacement abstract on a separate sheet is required (37 CFR 1.72)." (Final Office Action dated Nov. 29, 2005 at p. 14). To expedite prosecution, applicant's representative has resubmitted the amendments to the Abstract in this Reply on a separate sheet. However, nothing in either 37 C.F.R. §1.121(c) or 37 C.F.R. §1.72 requires this and applicant's representative respectfully submits that the previously submitted amendment was proper in form. 37 C.F.R. §1.121(c) applies to *claim* amendments (not to specification amendments, such as an amendment to the Abstract) and 37 C.F.R. §1.72 applies to the specification as originally filed (not to amendments to the specification). 37 C.F.R. §1.121(b) governs specification amendments and, specifically, 37 C.F.R. §1.121(b)(1)(ii) allows the specification to be amended in the manner submitted in the Reply to the previous Office Action.

II. Clarification of Claim 7

The Examiner requests clarification with regard to claim 7 because claim 7 as originally filed was dependent on claim 4, but the amendment submitted in the Reply to the previous Office Action, indicated it was originally dependent on claim 3. (See Final Office Action at p. 15). The "3" was a typographical error and as submitted in the Reply to the Final Office Action as well as the previous Office Action, claim 7 now depends from claim 6.

III. Rejection of Claims 41-47 Under 35 U.S.C §112

Claims 41-47 stand rejected under 35 U.S.C §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant's representative respectfully submits that this rejection should be withdrawn for at least the reasons set forth in the Reply to the prior Office Action.

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However, in order to expedite prosecution, the claims have been amended. Accordingly, this rejection should be withdrawn.

IV. Rejection of Claims 1-48 Under 35 U.S.C. §102(e)

Claims 1-48 stand rejected under 35 U.S.C. §102(e) as being anticipated by Alpern (US Patent 6,651,248). Applicant's representative respectfully submits that this rejection should be withdrawn for at least the following reasons. Alpern does not disclose *each and every* limitation of the subject claims. In particular, Alpern does not disclose expressing an association between the declaration and the implementation *as an intermediate language representation* according to an override association rule for the target runtime if the source language association rule is different from the default association rule for the target runtime and providing the intermediate language representation to the target runtime.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every* element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The claimed subject matter generally relates to methods and systems for implementing intermediate language representations of source code. (See Application at p. 3, line 29 – p. 4, line 16). A source compiler compiles source code (e.g., written in a high-level programming language) into an intermediate language representation of the source code (e.g., intermediate language or "IL" code). (See Application at p. 2, lines 14 – 16). The runtime system then receives the IL code representation from the source compiler, and performs an IL to native code conversion, for instance, using a just-in-time (JIT) compiler. (See Application at p. 2, lines 18 – 19). Using override associations, the source compiler resolves potential ambiguities in associating a declaration with an implementation. (See Application at p. 4, lines 13 – 16; Fig. 11, elements 418, 450). Thus, at runtime, the expressed associations can be interpreted without encountering ambiguous associations. (See Application at p. 4, lines 8 – 12).

All of the subject claims recite the limitations expressing an association between the declaration and the implementation *as an intermediate language representation* according to an

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override association rule for the target runtime if the source language association rule is different from the default association rule for the target runtime and providing the intermediate language representation to the target runtime or similar limitations. Alpern discloses an interface method table (IMT) comprising a table of entries that are used to support invocation of interface methods. (See e.g., Alpern at Abstract). The entries each correspond to a set S of interface methods that are implemented by objects of a given class. (See e.g., Alpern at Abstract). An IMT entry stores the following data: a) if the set S is empty, the IMT entry is a null/empty value; b) if the set S includes only a single interface method, the IMT entry is a pointer to the implementation of the single interface method in the set S; and c) if the set S includes two or more interface methods, the IMT entry is a pointer to a conflict resolution routine. (See Alpern at col. 3, lines 20-31). The processing of a method invocation statement involves either 1) loading a pointer to the implementation of the interface method from an entry of the IMT and passing control to this implementation; or 2) loading a pointer to a conflict resolution routine pointed by an IMT entry and passing control to this conflict resolution routine. (See Alpern at col. 3, lines 33-39). The conflict resolution routine pointed to by the IMT entry identifies *at execution time* the location of the particular interface method of the two or more interface methods that are associated with the given IMT entry. (See Alpern at Abstract and col. 3, lines 39-45). Thus, unlike the claimed subject matter, the system of Alpern performs conflict resolution *at runtime*.

In view of the foregoing, it is readily apparent that Alpern does not disclose each and every element of the subject claims. Accordingly, applicant's representative respectfully requests that the rejection be withdrawn.

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CONCLUSION


The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP212US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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